

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:19-CV-155-H

EVETTE MARIE JOHNSON, )  
Plaintiff, )  
 )  
v. )  
 )  
 )  
NOVANT HEALTH BRUNSWICK )  
MEDICAL CENTER, )  
Defendant.

**ORDER**

This matter is before the court on frivolity review. Plaintiff initiated this action by filing an application to proceed in forma pauperis (IFP) and proposed complaint. United States Magistrate Judge Kimberly A. Swank entered an order granting plaintiff's motion for IFP and requiring plaintiff to particularize her complaint. In response, plaintiff filed a particularized complaint [DE #6]. On September 10, 2020, Judge Swank entered an Order and a Memorandum and Recommendation ("M&R") ordering that plaintiff be allowed to proceed on her race/national origin claim and recommending that plaintiff's remaining claims be dismissed as frivolous or for failure to state a claim upon which relief may be granted.

Plaintiff filed an objection to the M&R. [DE #9]. The objection, in its entirety stated, "I Evette Johnson object to the

dismissal of Case NO. 7:19-CV-155H. I am still filing the appropriate papers for this case." [Objection, DE #9].

The court has carefully reviewed the M&R, objections, and other documents of record. The court finds the objections to be without merit and that the recommendation of Magistrate Judge Swank is, in all respects, in accordance with the law and should be approved.

Accordingly, the court ADOPTS the recommendation of the magistrate judge as its own and hereby DISMISSES all claims except the race/national origin claim.

The Clerk is DIRECTED to file the complaint and issue the summons prepared by Plaintiff. The United States Marshal is DIRECTED to serve the summons and a copy of the complaint on Defendant.

This 28th day of September 2020.



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Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
#26